



MINISTRY OF THE ENVIRONMENT

EMERGENCY RESPONSE PLAN

2012

PREFACE

The overall response structure for emergencies in Ontario relies on the local municipality and municipal authorities taking primary responsibility for public health and safety. Most emergencies are dealt with successfully at the local level through municipal emergency plans. Municipal plans assign response coordination for various types of events to appropriate municipal officials and provide for senior-level municipal officials to take charge of locally declared emergencies. Assistance to local-level emergencies from the Ministry of the Environment (MOE) and from other provincial and federal departments is often provided without necessarily elevating the event further. Nevertheless, ministries that provide assistance in this way may make use of their own emergency plan to facilitate a more formal or structured response.

When an event escalates beyond the response capacity of local authorities, the Premier or Cabinet through the Lieutenant Governor in Council has the authority under the Emergency Management and Civil Protection Act to declare a provincial-level emergency. MOE may be required to deal with the environmental components of that emergency within a coordinated Government response.

The MOE Emergency Response Plan fulfills the requirements of the Emergency Management and Civil Protection Act, Ontario Regulation 380/04, and related Order in Council for the Minister of the Environment to develop an emergency response plan for specific types of emergencies as assigned by the Lieutenant Governor in Council.

The primary purpose of this Plan is to establish a framework for a systematic and effective response to spill and drinking water emergencies that escalate to the level where MOE is asked or is required to respond. MOE's primary role in response to spill and drinking water emergencies is to ensure regulatory oversight of the duties and responsibilities of those regulated parties and to support response activities in conjunction with other authorities. This Plan also establishes the framework for a response to other types of emergencies where MOE's support may be required.

A key component of the MOE Emergency Response Plan involves the activation of the Ministry Action Group (MAG) as MOE's senior-level decision-making body for coordinating and directing the Ministry's response to an emergency. Once activated for an emergency, the MAG becomes MOE's focal point for the Ministry's corporate-level decisions. Thus the flow of information within the Ministry related to MOE's participation in the response to an emergency must be channeled through the MAG.

The Deputy Minister may serve as the Executive Lead of the MAG for complex emergencies or may designate this function to the Assistant Deputy Minister (ADM) of Operations Division for spill and continuity of operations emergencies, or ADM of Drinking Water Management Division for drinking water emergencies. The ADMs of Corporate Management Division and Environmental Sciences and Standards Division may act as alternate leads depending upon the nature and duration of the emergency.

EMERGENCY RESPONSE PLAN

FOR

SPILL AND DRINKING WATER EMERGENCIES

AND OTHER

EMERGENCIES THAT REQUIRE A MINISTRY RESPONSE

MINISTRY OF THE ENVIRONMENT

REVISED: 2012

APPROVAL OF PLAN

The Ministry of the Environment (MOE) Emergency Response Plan fulfills the requirement under the Emergency Management and Civil Protection Act, Ontario Regulation 380/04, and related Order in Council for the Minister of the Environment to develop an emergency response plan for specific types of emergencies as assigned by the Lieutenant Governor in Council. This Plan is designed to establish a framework for a systematic and effective response to spill and drinking water emergencies as well as to other emergencies where Ministry response coordination or Ministry support is required.

The MOE Emergency Response Plan establishes a decision-making and response structure for environmental emergencies that require the Ministry's diverse expertise and direct participation in support of the response by the regulated community and local authorities. The Plan builds on the Ministry's spill response and drinking water regulatory programs and relies on the statutory duties imposed on the regulated community that may be involved in spill or drinking water events. In addition, the Plan recognizes the authority of the Ministry to deal with any other pollution or drinking water event when necessary.

The primary focus of this Emergency Response Plan is a Ministry response structure suitable to address extraordinary events generally referred to as spill and drinking water emergencies for which the Ministry has Order in Council assigned lead role responsibilities. This Plan will also be implemented to supplement other emergency or contingency plans for which other ministries or agencies at the provincial or federal level have the lead role, but where the MOE can serve in a support role.

This Plan has been approved by:


Deputy Minister

Dated at Toronto:
Feb 2nd, 2012


Minister of the Environment

Dated at Toronto:
March 9, 2012

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EMERGENCY RESPONSE PLAN

FOR

SPILL AND DRINKING WATER EMERGENCIES

AND OTHER

EMERGENCIES THAT REQUIRE A MINISTRY RESPONSE

1 – INTRODUCTION

The Ministry of the Environment (MOE) is responsible for enforcing requirements under the Environmental Protection Act, the Ontario Water Resources Act, the Safe Drinking Water Act, the Clean Water Act, the Nutrient Management Act, the Environmental Assessment Act, the Pesticides Act, and the Environmental Bill of Rights. Certain aspects of the Ministry's legislation govern facilities and activities within the private and public sector in Ontario that could be involved in environmental events that exceed the response capability of the party with statutory duties and responsibilities. Such events also have the potential to involve the response resources of local or municipal authorities. There is the potential for some of these events to escalate to an emergency, as the term is defined by the Emergency Management and Civil Protection Act (EMCP Act), namely: "a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property ..."

The EMCP Act requires all Ontario ministries to develop and implement Emergency Management Programs. Key program elements prescribed by regulation include the establishment of:

- An **Emergency Management Program Committee** to steer the development and implementation of the required program within the Ministry; and,
- A **Ministry Action Group** structure to direct the Ministry's response during emergencies.

The EMCP Act requires all ministries to have Continuity of Operations Plans (Business Continuity Plans) to ensure continued delivery of time-critical functions and services during emergencies. In addition, a number of ministries, including MOE, are also required to have emergency response plans to deal with specific

types of assigned emergencies that could have a major impact on public health and safety or the environment. More specifically, the Lieutenant Governor in Council assigned the following two categories of emergencies to the Minister of the Environment:

- Spills to the natural environment including fixed site and transportation spills; and,
- Drinking water emergencies.

This document is intended to fulfill the requirement for the Minister to formulate an emergency response plan that addresses spill and drinking water emergencies.

In addition, the Ministry also has commitments to provide a support role function for several types of emergencies, where a component of such emergencies poses a threat to the natural environment or drinking water. This Plan is also intended to facilitate these related support requirements.

MOE's Continuity of Operations Plan is a separate plan designed to ensure the continuity of the Ministry's time-critical services and functions during an emergency and recovery following an emergency. Annex B of this Plan provides a summary of those time-critical services that support the Ministry's ability to respond to emergencies as assigned by Order in Council. Operationally, the link between the Ministry's internal continuity of operations requirements and external emergency response activity is achieved through a common senior-level decision-making group known as the Ministry Action Group.

In summary, the primary purpose of this MOE Emergency Response Plan is to address MOE's requirement to develop an emergency plan for spills to the natural environment and for drinking water emergencies. The MOE Emergency Response Plan also underpins the Ministry's participation as a partner in a response to a variety of emergencies for which other ministries or agencies have overall lead-role responsibilities or have primary on-site operational authority, but where a component of such emergencies includes a threat to the natural environment or to drinking water.

2 - SCOPE AND APPLICATION

This Chapter outlines the purpose, objectives and limitations of the MOE Emergency Response Plan. It focuses on the role of MOE as it relates to spills and drinking water emergencies for which MOE has lead responsibility and on the support role of MOE for a response to emergencies where the threat to the environment or drinking water may only be one aspect of the event.

The authority of the Plan is the Emergency Management and Civil Protection Act (EMCP Act), Ontario Regulation 380/04, and related Order in Council. The EMCP Act requires “every minister of the Crown ... to formulate an emergency plan for the ministry ... in respect of the type of emergency assigned to it by the Lieutenant Governor in Council, governing the provision of necessary services during an emergency and the procedures under and the manner in which Crown employees and other persons will respond to the emergency”. There is also a requirement to review and to revise, if necessary, the plan on an annual basis.

2.1 ADMINISTRATIVE MATTERS

The custodian of this Plan is the Ministry’s Emergency Management Program Coordinator, also referred to as the Ministry Emergency Management Coordinator (MEMC). Additional administrative matters related to this Plan are included in Annex A, which addresses matters related to:

- Maintenance of the Plan: review, amendments and updates;
- Internal notification mechanisms;
- Exercises and training; and,
- Availability and distribution of the Plan and its Annexes.

2.2 PURPOSE AND LIMITATIONS

The purpose and limitations of the Plan are guided by the duties and responsibilities imposed on specific parties by legislation administered by MOE and by the definition of an emergency under the EMCP Act. An emergency under the Act refers to, “*a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise*”. This has to be read in conjunction with MOE’s legislation, which imposes significant duties and responsibilities on owners and controllers of spilled pollutants; and drinking water system owners and operating authorities.

2.2.1 Purpose

The MOE Emergency Response Plan focuses on coordinating available Ministry expertise and response resources that may be required to address spill or spill-related environmental emergencies, and drinking water emergencies. The MOE Emergency Response Plan is also intended to be used for other types of emergency situations which, because of their nature, might require the Ministry's expertise, participation or intervention, as may be applicable.

The main purpose of the Plan is to establish a coordinated MOE response structure to events that escalate to a level where the Ministry has to respond, or when MOE is asked by another agency to participate in a response. Towards this end, the Plan relies primarily on MOE's overall mandate related to spills and drinking water events. This includes MOE's regulatory, monitoring and response programs related to spills and unauthorized or accidental releases of polluting substances, and their containment, cleanup and disposal; and the provision and coordination of expertise where regulated drinking water systems are threatened.

The response structure established by this Plan will also support MOE's participation in an overall Government response under the:

- Provincial Emergency Response Plan developed for complex (non-nuclear) emergencies (see Annex G);
- Provincial Nuclear Emergency Response Plan and associated plans (see Annex H);
- Provincial Coordination Plan for Influenza Pandemic (see Annex I);
- Canada and the Province of Ontario's Foreign Animal Disease Emergency Response Plan (see Annex F);
- the National Marine Emergency Response Plan (see sub-section 2.4.4);
- Canada - US Joint Marine Pollution Contingency Plan (see sub-section 2.4.4);
- Canada - US Joint Inland Pollution Contingency Plan (see sub-section 2.4.4).

2.2.2 Limitations

MOE's Emergency Response Plan is not designed to provide a primary response mechanism for spills of pollutants or drinking water events that cause an impact for which the party with statutory duties is expected to undertake an adequate response, or where the local community can reasonably be expected to respond.

It is important to note that MOE operational response decisions in the field may be affected or superseded by emergency plans, authorized procedures or priorities that address matters specific to security, health and safety issues of the public and responders, and the threat to critical infrastructure of communities or property, or by any responsibility area that normally falls to a local Medical Officer of Health, to fire or police officials or other first responders. Operational response decisions by MOE may also be superseded by another provincial or federal agency that has lead role responsibility where MOE provides a support role to other response partners.

2.3 PLAN OBJECTIVES

The aim of the Plan is to provide an elevated framework for a systematic and coordinated MOE response to a spill or drinking water emergency as well as to other emergencies where Ministry support is required. It can also be used in conjunction with other provincial or municipal contingency plans to support a response to lesser events where it is beneficial to utilize the response structure outlined in this Plan.

The objectives of this Plan are to meet the regulated Emergency Response Plan requirements and establish appropriate preparedness measures for responding to:

- spill emergencies beyond the capability of the spiller or local authorities;
- drinking water emergencies beyond the capability of the local community or owner/operating authorities; and/or
- other emergencies or events where MOE support or assistance is required.

2.4 ROLE OF MOE

MOE is responsible for achieving and maintaining a quality of the environment that will protect human health and the ecosystem, and will contribute to the well being of the people of Ontario.

Within these generalities, the role of MOE in emergencies that have an environmental component in general, and more specifically, for spills to the natural environment from fixed facilities and transportation accidents and for drinking water emergencies are summarized in the sub-sections below.

2.4.1 Emergencies

The primary responsibility for public health and safety in the case of an emergency rests with municipalities. When local emergencies escalate, municipalities normally seek assistance from the Province through Emergency Management Ontario, and MOE will participate in a coordinated Provincial response for events that include an environmental component or pose a threat to drinking water supplies.

MOE may also play an important support role to first responders and local authorities. For emergencies that have an environmental component, MOE's role is to provide information on environmental effects and make recommendations to local authorities in charge of the emergency, normally the fire chief, the local Medical Officer of Health, or others who have the authority to act on the advice.

2.4.2 Spills

MOE's regulatory role with respect to spills is to ensure that whoever is responsible for the spill contains the spilled pollutant and cleans up the site in accordance with Ministry regulatory requirements.

It is important to note that the primary responsibility for containment and the cleanup of spills and the disposal of spilled contaminants in an approved manner, and the responsibility for all associated costs, remains with the person who had charge or management of the material spilled immediately prior to the spill and the person who owned the material spilled immediately prior to the spill.

It is also noted that the person who caused or permitted the spill and the person who had control of the material spilled immediately prior to the spill are required to report the event to MOE and the municipality in which the spill takes place.

Notification to MOE does not relieve the party of notification requirements to other agencies or parties under additional notification requirements.

Other notification and cleanup requirements at the national, provincial or local level, as well as civil or other duties or liabilities that may apply to pollution incidents are a function of the type of event. Additional municipal requirements may also apply.

Municipal or regional authorities may also be involved in the response to spill pollution incidents especially if there is concern for the protection of public safety, property, municipal infrastructure, critical services and sensitive areas.

In addition to the statutory duties imposed by the Environmental Protection Act on the discharger, the Act also extends municipalities the right to respond to spills and the right and a mechanism to recover their costs. Thus, municipalities can reasonably be expected to assist the discharger's response to inadvertent or accidental releases of pollutants especially where these threaten municipal interests.

MOE also has the authority to recover costs and expenses incurred in connection with a response to a spill, and the Ministry will endeavor to recover costs and expenses associated with a response to a spill emergency under this Plan.

Within this framework, the Ministry's regulatory function is to ensure that the discharger responds promptly, and complies with the statutory requirements for cleanup, disposal, and the repair of damage to property and to the natural environment.

With respect to spills, the Ministry's role is:

1. To receive notification and information of accidental and inadvertent discharges of pollutants to the natural environment and to assist in warning potentially affected parties, where applicable.
2. To inspect and monitor spills of hazardous materials and other pollutants released to the natural environment in order to:
 - (a) Ensure that the discharger takes appropriate measures;
 - (b) When required, offer advice and make recommendations as to the best practicable cleanup and disposal measures to be followed;

- (c) Monitor the response activities of responsible parties and, when warranted, to initiate abatement and enforcement measures or to intervene or pre-empt response measures (as a last resort) in order to protect the interests of the public and the interests of the Ministry; and,
 - (d) Where applicable, make recommendations with respect to procedures or equipment, spill prevention, and/or improved spill response.
3. To provide information, as it may be available, and offer advice and make recommendations to the fire chief and/or the local Medical Officer of Health, or to others in charge of the emergency who have the authority to act on the information, advice or recommendations, as applicable.
 4. To provide support as established by the inter-government or inter-agency Memoranda of Understanding or similar undertakings and formal emergency or contingency plans listed in Section 2.4.4 and the Annexes.

2.4.3 Drinking Water Events

The Safe Drinking Water Act places responsibility for the adequate treatment of drinking water on the owner or operating authority of drinking water systems. The Act also requires routine and frequent testing of drinking water for all designated systems. Furthermore, the Act requires licensed laboratories that analyze drinking water samples to report adverse test results immediately to MOE as well as to the local Medical Officer of Health and drinking water system owner/operating authority.

The primary responsibility for the provision of safe drinking water rests with the owner/operator of the drinking water system. The Ministry's role is to ensure that these responsibilities are undertaken. Under specified circumstances the Ministry may issue orders and notices and may require that an agency or person, other than the owner, undertake necessary activities.

The circumstances leading to a potential drinking water emergency could relate to issues of water quantity and/or water quality. Water quality issues could, in turn, relate to chemical, radiological or pathogenic contamination. In most cases, contamination events will be effectively controlled through prescribed regulatory or site-specific corrective actions and would not normally constitute an emergency.

It is important for MOE to work closely with the local and/or Chief Medical Officer of Health, who is the person/authority with the mandate for health hazard and health risk assessments, and with municipal officials and other agencies that may become involved. (See also Sub-section 4.2.2 of this Plan.)

Matters relevant to a drinking water emergency include the:

- Cause of event,
- Nature and magnitude of the event,
- Likelihood of effective and timely remedial/corrective action,
- Abilities and willingness of the owner to respond to the events,
- Extent of the system potentially impacted,

- Anticipated duration of the event,
- Observation of trends in the ongoing assessment of the event,
- Availability of an alternate water supply,
- Occurrence of other simultaneous events (such as a fire), and
- Possible adverse consequences of remedial/corrective action (e.g. shutting down the system).

2.4.4 Related Support Functions

MOE's Emergency Response Plan is also intended to provide assistance during any other emergency where a coordinated MOE support is required. This includes a response under the following emergency and contingency plans:

1. Provincial Emergency Response Plan (PERP); prepared by Emergency Management Ontario (EMO), Ministry of the Community Safety and Correctional Services to coordinate a multi-agency response by the Government of Ontario that may be required for (non-nuclear type) emergencies that pose a threat of major proportion to people or property and is beyond the response capability of local authorities. The Provincial Emergency Response Plan establishes decision groups that would manage an emergency and creates several groups of specialists and experts that would be called upon to provide input to the decision-making process created under the structure of the Plan. MOE participates on several of these groups (Annex G describes MOE's involvement under PERP).
2. Provincial Nuclear Emergency Response Plan (PNERP); prepared by EMO in accordance with specific requirements for such a plan under the EMCP Act. The Nuclear Emergency Response Plan coordinates a multi-agency response by the Government of Ontario for an accident at nuclear power facilities in Ontario (and elsewhere if such an accident were to pose a threat to Ontario). A family of related and supplemental emergency plans prepared by EMO focuses a government-wide response to other "nuclear", non-conflict threats. This includes the Provincial Liquid Emissions Response Plan and the General Province-wide Monitoring Plan. These plans rely on decision groups and teams of experts similar to those established under the PERP, and pre-selected MOE staff participate on several of these groups and teams (Annex H describes MOE's role under PNERP and other related plans/procedures).
3. Provincial Coordination Plan for Influenza Pandemic; was developed by EMO to assist in coordinating the provincial emergency response during an influenza pandemic, to support the Ontario Health Plan for an Influenza Pandemic. It addresses influenza pandemic planning issues that focus on meeting human needs and maintaining critical infrastructure.
4. Canada and the Province of Ontario's Foreign Animal Disease Emergency Response Plan; (the FADER Plan) prepared by the Canadian Food Inspection Agency, the Ministry of Agriculture, Food and Rural Affairs (OMAFRA), and EMO. The FADER Plan is a coordinated multi-agency and

multi-disciplinary response mechanism designed specifically to address the threat of a foreign animal disease (FAD). A FAD outbreak necessitates the culling and disposal of large numbers of animals, and as a result, the FADER Plan requires MOE's input to recommendations associated with the disposal of animal carcasses and related contaminated or suspect materials. See Annex F for details related to MOE's participation under the FADER Plan.

5. Canada - US Joint Marine Pollution Contingency Plan, developed under the Great Lakes Water Quality Agreement, a formal agreement signed by the Prime Minister of Canada and the President of the United States of America. The coast guards of both countries administer this contingency plan jointly. The Plan includes early notification, surveillance and monitoring, as well as response provisions for events, normally but not necessarily as a result of maritime activities. The type of event for which this plan was prepared are those that impact the other country, threaten to impact the other country, or may be of such a nature or magnitude to make it advisable to notify or to involve the other party. Under this Plan, MOE is expected to deal with associated environmental issues within MOE's mandate on the Ontario side of the Canada – US border. MOE's Spills Action Centre (SAC) serves as the notification focal point and communications link between the Canadian Coast Guard and MOE. MOE may activate its Emergency Response Plan to facilitate the Ministry's participation under the Canada – U.S. Joint Marine Pollution Contingency Plan.
6. National Marine Emergency Response Plan; more specifically its annex addresses marine emergencies for the Great Lakes and their Inter-Connecting Channels, both prepared by the Canadian Coast Guard. The plan addresses spills that impact Canadian waters from vessels in transit and during loading or unloading operations. MOE is expected to deal with associated environmental issues within MOE's mandate, and SAC serves as the primary communications conduit between the Canadian Coast Guard and MOE and other provincial entities, as necessary. MOE may activate its Emergency Response Plan to facilitate the Ministry's participation under the National Marine Emergency Response Plan.
7. Canada – United States Joint Inland Pollution Contingency Plan; a national plan between Environment Canada and the US Environmental Protection Agency. In Ontario, the Plan applies to accidental and unauthorized spills and pollution events that may cause damage to the environment along the shared inland boundary of both countries and that may threaten the other party, other than events addressed by the Canada - US Joint Marine Pollution Contingency Plan already outlined in item 4 above. MOE may be required to participate under the response structure established by the Inland Plan.
8. Regional Environmental Emergency Teams (REETs); are multi-agency, multi-disciplinary groups that can be assembled to provide consolidated and coordinated environmental advice and assistance during spills and emergencies that have significant environmental concerns. The REET

concept includes representatives from Environment Canada, MOE, and the Canadian Coast Guard and is only activated in the event of a significant incident. A number of REETs with local expertise and partners have been established across the province and conduct annual planning meetings. They can also be assembled on short notice to provide environmental expertise and support during an emergency. The formation of a REET would be likely for events that result in the National Marine Emergency Plan, the Canada – US Joint Marine Pollution Contingency Plan, or the Canada – US Joint Inland Pollution Contingency Plan being activated. If a REET is activated either Environment Canada or MOE would chair the REET depending on the source and location of the spill.

2.5 ESCALATION OF EVENTS

The following summarizes MOE's escalating involvement in various events and emergencies.

Local Incident

The Ministry considers an event to be a local incident when the required response to a situation is of a routine nature, such that those with statutory responsibilities for the incident and/or by the affected community have the capability to respond with their own resources. In such instances, those responsible and the local community can normally manage the event with first responders (police, fire or ambulance) or with other local resources, including municipal works crews and drinking water system staff. It is important to note that most spills on municipal roadways and most drinking water events are managed locally. The Ministry's involvement in these types of events is normally in a regulatory capacity. The Ministry may provide advice and assistance as appropriate.

The local community may request assistance from neighbouring communities and/or input of expertise from various Provincial agencies or authorities, including MOE. For MOE, response participation to such requests is normally led by the Ministry's District or Regional Offices, or the Drinking Water Management Division, and fall within routine response and standard operating procedures.

Undeclared Local Emergency

An event may escalate within a local community to a level that requires a coordinated response by participating agencies even though there is no formal emergency declaration. MOE's response to undeclared emergencies that involve spill or drinking water components will normally be in accordance with routine Ministry operating procedures. This includes the escalating response from MOE's District and Regional level response to additional MOE resources. When a more formal response is warranted due to the complexity of the event (e.g., a significant commercial/industrial fire), the Ministry may activate its Emergency Response Plan and form a Ministry Action Group (MAG) to direct the overall Ministry response.

Declared Local Emergency

MOE will likely activate this Emergency Response Plan for situations where a municipality or a First Nations Community declares an emergency and the emergency includes a spill or drinking water component, or other emergencies with environment concerns that may require MOE support. In the case of a large municipality, which is less likely to issue an official emergency declaration, MOE will consider activating its Emergency Response Plan if the municipality has activated its Emergency Operation Centre in response to a significant event, and where there is a clear need for provincial assistance. There is not always a definitive point that triggers the need for support from provincial government agencies. Consideration is given to the degree of impact on a community, their ability to deal with the situation, and the extent to which MOE's support is needed.

Declared Provincial Emergency

The authority to declare an emergency at the provincial level rests with the Lieutenant Governor in Council or the Premier. Either may designate any Minister including the Minister of the Environment to exercise any powers provided by the EMCP Act. A coordinated Government response to a provincially declared emergency would be managed by EMO out of the Provincial Emergency Operations Centre (PEOC) where MOE and other ministries have prescribed roles and responsibilities; see Schematics 1 and 2. The umbrella Provincial Emergency Response Plan and the Provincial Nuclear Emergency Response Plan are the primary plans that outline an overall government response in which MOE is one of several response partners. The Ministry's Emergency Response Plan would be activated to facilitate MOE's response component to such events.

2.6 PLAN ACTIVATION

This Plan is intended to facilitate a Ministry response to a variety of emergencies. Decisions and actions under this Plan are made with due consideration of the authority and priorities of other involved agencies. It must also be recognized that the coordination of response activities for complex emergencies including final operational decisions will likely fall to authorities or entities other than MOE.

2.6.1 Provincial-level Emergency

This Plan will be activated in support of a provincially declared emergency:

- Where MOE is required to participate in the response efforts to an event that is a declared emergency, including emergencies for which the PERP or the PNERP has been activated; - or
- For any other type of emergency for which the PEOC has been activated and MOE has been asked to participate in the response. (For all other type of emergencies see Sub-section 2.6.2.)

A request for MOE's participation to the response of such emergencies will normally be made by EMO and routed to MOE via the Ministry's Emergency Management

Coordinator (MEMC) or the Ministry's Spills Action Centre (SAC) (note also Chapter 4). Such requests will be relayed to the Executive Lead of the MAG – (see Section 3.2), normally via the MEMC, or via SAC's management.

The MAG Executive Lead may activate this Plan or any component of this Plan. The activation of this Plan or any component of this Plan will be made by notifying all MAG members (see Section 3.2), as applicable. SAC or others assigned this task at the time of the event, will facilitate this notification process under the direction of the MAG Executive Lead.

The activation of the MOE Emergency Response Plan may be scaled back by the Executive Lead of the Ministry Action Group during an emergency as may be dictated by the complexity or the de-escalation of the event. Factors that influence such decisions include the degree to which MOE is asked to participate, the duration of the emergency, and shifting as well as de-escalating priorities during the event.

2.6.2 All Other Emergencies

The MOE Emergency Response Plan may be activated for several other types of emergencies, where MOE can be of assistance in support of another lead ministry, agency, or local authority. In these situations, the PEOC may or may not be activated. Such events include:

- Emergencies for which another ministry, agency or authority has the lead role responsibilities but include a significant spill and/or drinking water component of the emergency and the events require MOE participation. This includes major hazardous material spills, accidental discharges and fires, foreign animal disease outbreak, influenza pandemic, or drinking water emergencies beyond the response capability of a drinking water owner/operator authority or the community; and,
- Extraordinary and urgent events within the framework of MOE's mandate where the discharger or local authorities are unable or unwilling to deal with the event and where MOE elects to use a formal response mechanism.

A request for MOE's participation to the response of such emergencies may come from the regulated community, municipal authorities, another ministry or agency, or as a result of any of several inter-agency agreements and undertakings or emergency and contingency plans listed in Section 2.4.4 and in the Annexes. Such a request will normally be routed to MOE via the MEMC or SAC, and relayed to the MAG Executive Lead normally via the MEMC or SAC management.

Any member of the MAG (see Section 3.2) may request the activation of this Plan for the type of emergencies referred to in this Sub-section. For some types of emergencies, it may be sufficient for the MAG Executive Lead to scale back the activation of this Plan and assign the response, or the remaining response requirements, as applicable, to an MOE Operations Section (note Section 3.4), Regional or District office, or to a specified Ministry Division.

2.7 PLAN TERMINATION

A response under the MOE Emergency Response Plan activation may be terminated as dictated by the circumstances, the progress made during the response phase of the event, and the residual priorities as the emergency de-escalates.

The Executive Lead of the MAG may de-escalate or terminate response actions under this Plan or any component of this Plan. A response under the MOE Emergency Response Plan may be scaled back or terminated by formally advising all response participants.

2.8 RESPONSE ACTIONS AUTHORIZED

MOE employees are authorized to take action in good faith under this Plan, and within the purpose and limitations of this Plan as summarized in Section 2.2, and within the limits of protection from personal liability provided by Section 11(1) of the EMCP Act. This provision of the EMCP Act states that, “No action or other proceeding lies or shall be instituted against ...a minister of the Crown or a public servant for any act done in good faith ...of any power or duty under this Act or an order under this Act or for neglect or default in the good faith exercise or performance of such a power or duty”.

2.9 ALERTING THE PUBLIC

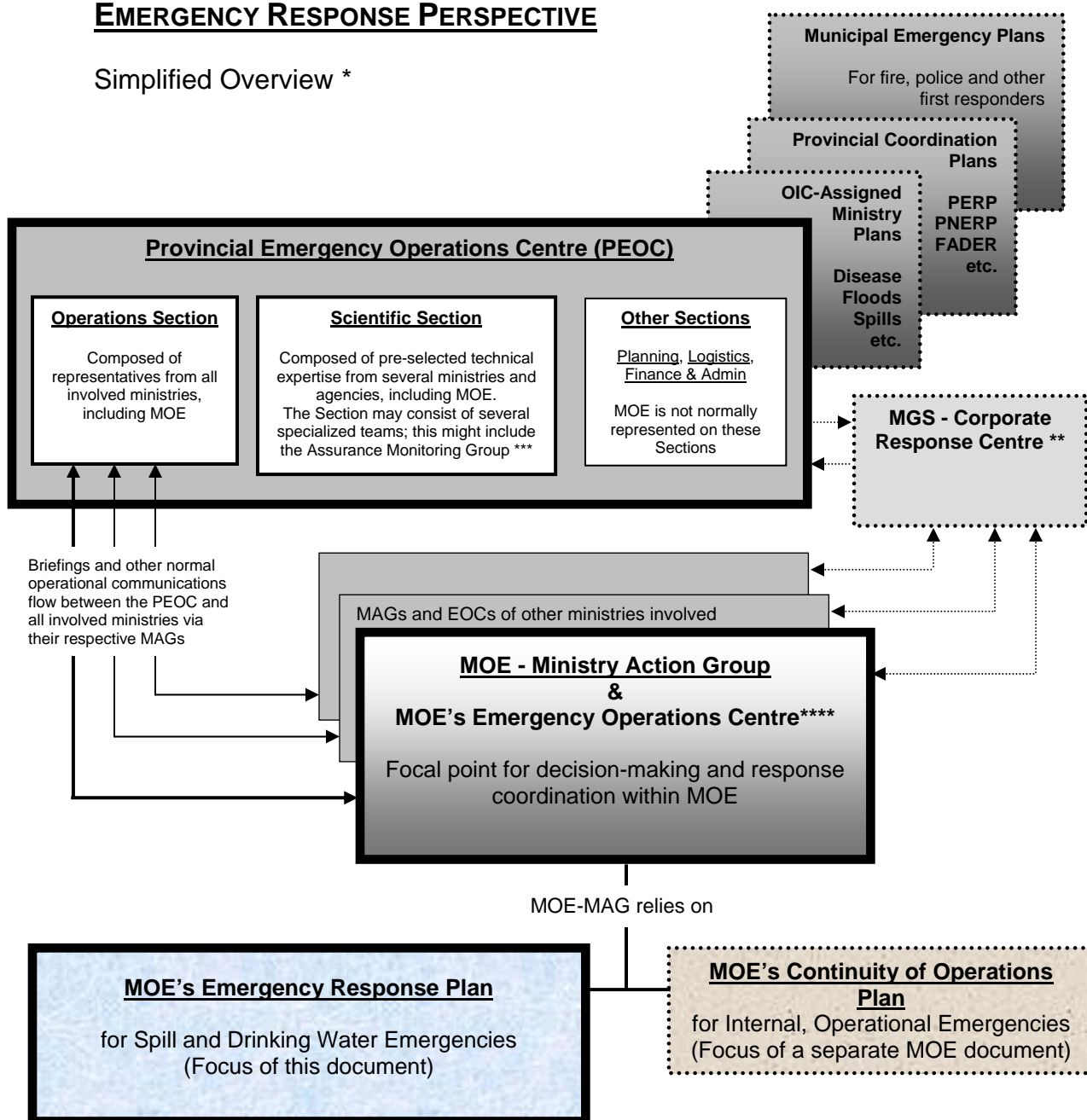
For spill and drinking water emergencies and for any other emergency or event for which this MOE Emergency Response Plan is activated, MOE will work with local authorities (including the local Medical Officer of Health) and with other provincial and federal authorities to ensure the public is alerted and kept up to date during the emergency. The responsibility for this falls to MOE’s Emergency Information Officer. The topic of news releases and other forms of official communications with the public, the community and the media is highlighted under the topic of Public Information in Section 3.9, and details are provided in Annex C. Annex C also addresses the topic of alerting the public and keeping the public informed throughout the emergency.

2.10 PROVINCIAL RESPONSE PERSPECTIVE

The following schematic 1 illustrates the relationship of this Plan within the framework of Ontario’s overall emergency response structure, including continuity of government operations. The diagram is a simplification of the overall government emergency response structure, focusing on MOE’s relationship with the PEOC for a response to emergencies when the PEOC is activated and where MOE response participation is required.

SCHEMATIC 1**EMERGENCY RESPONSE PERSPECTIVE**

Simplified Overview *



* This simplified overview applies to provincial emergencies that impact externally on the public as well as internally on provincial government operations. Only some aspects would apply to lesser emergencies.

** The MGS Corporate Response Centre may also be activated for OPS security, human resource and health and safety issues.

*** The Assurance Monitoring Group is activated normally for nuclear emergencies; see Annex H.

**** MOE's Emergency Operations Centre and the Ministry Action Group are described in Chapter 3.

3 - MOE'S EMERGENCY RESPONSE

This Chapter establishes the basic composition and structure of MOE's response to emergencies. Ontario Regulation 380/04 specifies that every ministry must have an **Emergency Operations Centre (EOC)** and a **Ministry Action Group (MAG)**. The MAG is given the responsibility for directing the Ministry's overall and strategic response to an emergency normally conducted out of the MOE EOC. For spill and drinking water emergencies, the MAG will rely on expertise and resources available through the MOE's Regional and District offices, the Drinking Water Management Division, and the Environmental Sciences and Standards Division. The MAG will also rely on all relevant response-related operating procedures associated with the Ministry's spill and drinking water programs.

This Chapter provides an overview of the MOE EOC, and describes the composition and role of the MOE MAG and their support structure.

3.1 EMERGENCY OPERATIONS CENTRE - EOC

The MOE EOC is the central facility available to the MAG. The MAG (see Section 3.2) provides Ministry-wide strategic coordination and direction for emergencies or events that require the participation of MOE at the corporate level. The EOC may be activated for an emergency that requires the Ministry to provide support when the Provincial Emergency Operations Centre (PEOC) is activated. The MAG may also make use of the EOC for emergencies and other events and exercises when the PEOC is not activated.

The MOE EOC is located in Toronto at a state-of-the-art, dedicated and restricted access facility available on a 24/7 basis. The EOC has video and teleconference capabilities, maps, directories, and other emergency response resources. The EOC is also supported by back-up power generation.

The linkage between the PEOC and MOE's EOC and the level of MOE's involvement in response to an emergency is dependant on the nature and scope of the event. Schematic 1 and Schematic 2 illustrate the linkages between the PEOC and MOE's EOC within the MOE's emergency response framework developed under this Plan.

3.2 MINISTRY ACTION GROUP - MAG

The MOE MAG is established pursuant to Ontario Regulation 380/04 and serves as MOE's senior-level decision-making group for an extraordinary response to spill and drinking water emergencies as assigned by Order in Council, and to continuity of

operations emergencies* that have serious implications on MOE's ability to maintain time-critical services. The MAG would also be activated to facilitate MOE's contribution to an inter-agency response coordinated through the PEOC.

The MAG will be activated to coordinate a Ministry response to a spill or drinking water emergency of a magnitude where the Ministry must intervene and where that intervention requires an extraordinary response. Such a response may be required even though the PEOC is not activated. The broad response coordination of the MAG will be supported, as required, by a MOE Operations Section and other groups the MAG deems necessary to establish for the event (Sections 3.4 to 3.7).

The MAG may also be activated by the Executive Lead, as required, to provide a broad and strategic overview for the environmental issues within MOE's mandate for emergencies or events addressed by other levels of government or other jurisdictions as specified by Memoranda of Understandings, inter-agency undertakings and formal contingency plans noted in Chapter 2 of this Plan.

The MAG is responsible for leading MOE's response to an emergency and is in command of the Ministry's overall response, within the framework of the wider command structure that may be established for the emergency. The MAG will direct MOE's response component for the emergency and coordinate the various activities of the groups or sections established as part of the MAG. These are the **Operations Section** (Section 3.4), and the **Planning**, the **Logistics**, and the **Finance and Administration** Sections (see Sections 3.5 to 3.7) of the MAG, as the MAG may find it necessary to establish these sections for the event. Response activities are carried out in accordance with a **Ministry Incident Action Plan** (note Section 3.8) that is prepared or approved by the MAG.

3.2.1 MAG Composition

The composition of the MAG consists of the members listed below. Notwithstanding this list, the Executive Lead may adjust the membership as may be necessitated by the nature of the emergency.

* In addition to the MAG's role under this Plan, the MAG will be activated to manage MOE continuity of operations emergencies (most likely widespread) that require a strategic or Ministry-wide response as addressed in a separate plan, the **Ministry Continuity of Operations Plan**.

Ministry Action Group - MOE-MAG

MAG Executive Lead - Deputy Minister or Designated ADMs as follows:

ADM Operations Division – spill and continuity of operations;
 ADM Drinking Water Management Division – drinking water;
 ADMs of Corporate Management Division and Environmental Sciences and Standards Division may act as alternate leads

Members

Director, Operations Integration Branch/ Spills Action Centre

Director, Safe Drinking Water Branch

Director, Strategic Human Resources Branch

Director, Communications Branch

Director, Environmental Monitoring & Reporting Branch*

Ministry Emergency Management Coordinator

Advisors to the MAG, as required

To address emergency-specific needs: Director, Laboratory Services Branch; Director, Standards Development Branch; Director, Waste Management Policy Branch; Director, Environmental Approvals & Assessment Branch; Director, Investigations and Enforcement Branch; Legal Services Branch; Director, Source Protection Programs Branch; Land & Resources Cluster; Regional Director**; Director, Business and Fiscal Planning Branch; plus other agencies/industry as required, e.g. Ontario Clean Water Agency (OCWA), the Medical Officer of Health, contractors, etc.

Additional Support

Duty Officer, Emergency Information Officer***, Liaison Officer, Information Technology staff, Deputy Minister's Executive Assistant, MGS - Health and Safety, and Employee Relations representative(s)

* Also serves as the link to other resources of the Environmental Sciences and Standards Division when required, such as MOE's Laboratory Services Branch and the Standards Development Branch.

** The Regional Director may also lead the MAG's Operations Section and likely communicate with the MAG via teleconference.

*** When the PEOC is activated, the Emergency Information Officer could be assigned to the Provincial Emergency Information Section at the PEOC.

3.2.2 The Role of MAG Members

MAG members will meet at regular intervals, via teleconference if necessary, to inform each other of actions taken and difficulties encountered. The MAG Lead will establish the frequency of meetings and agenda items and meetings will be kept as brief as possible to allow members to carry out their responsibilities.

In order for the MAG to effectively coordinate MOE's response component of the emergency, it is imperative that once activated the MAG remain fully aware of all Ministry activities related to the emergency and that all relevant decisions are funneled through the MAG.

All members of the MAG and their alternates are responsible for logging details related to requests received, decisions made, instructions issued and actions taken, and to share these details with the Duty Officer for incorporation into the master event log maintained by the Duty Officer.

MAG members are expected to act as representatives for their respective program areas and serve as conduits to specific expertise and knowledge available in their Branches and Divisions. All MAG members have identified alternates who can serve as relief or backup for prolonged activations.

The following is a list of specific tasks and key functions that may need to be considered and/or addressed by MAG members, advisors and support staff:

Executive Lead

- Activate the MOE Emergency Response Plan, any component of the Plan, the MAG, and the Operations Section to support the MAG.
- Determine the degree of MOE's participation (or continued participation) in an emergency and decides when it is appropriate to delegate responsibility to an Operations Section or a specific Ministry Division.
- Chair MAG meetings, oversee and coordinate the ministry-wide and strategic decision-making process for an MOE response to a spill or drinking water emergency, or any other event for which the Plan is activated. This includes the initiation and approval of MOE's Ministry Incident Action Plan.
- May designate the MAG executive lead function to the ADM of Operations Division for spill and continuity of operations emergencies, or Drinking Water Management Division for drinking water emergencies.
- Serve as the formal linkage to the Minister for the flow of information with respect to activities carried out by staff, and by contractors and others retained or seconded to assist the Ministry for the event.
- Establish the frequency of MAG meetings and agenda items.
- Appoint the Duty Officer, responsible for maintaining the event log.
- Appoint the Financial Officer, responsible to track all costs.
- Request the participation of senior-level representative from any of MOE's other divisions or branches as advisor to the MAG, or in any other capacity.
- Establish as required, a Planning Section, a Logistics Section and a Financial and Administration Section, as may be warranted by the circumstances of the emergency, and appoint the necessary Section Leads and Section Members.

Executive Lead Designates – Division ADMs

- ADM of Operations Division, or Drinking Water Management Division, ensures the input of resources and expertise within their respective areas of responsibility. The ADM of Corporate Management Division and Environmental Sciences and Standards Division may act as alternate leads.
- May serve as MAG Executive Lead, or alternate as required.

Director, Operations Integration Branch and Spills Action Centre

- Direct the input of resources and expertise from within the Spills Action Centre, the Emergency Management Program Office and the EOC.
- Ensure that essential Operations Division notifications and call-outs are carried out in a timely manner
- Link with affected Operations Division Regional Directors and Branches

Director, Safe Drinking Water Branch

- Direct input of resources and expertise related to safe drinking water issues.
- Advises the group on technical matters related to compliance under the Safe Drinking Water Act, and Regulations.

Director, Strategic Human Resources Branch

- Provide strategic advice to the group on human resource implications
- Broker occupational health and safety, and labour relations services with Ministry of Government Services (MGS), as may be required.

Director, Communications Branch

- Facilitate all matters related to the communications needs of the Ministry for all emergencies and other events for which this Plan is activated.
- Serve as the primary link with communications contact points of other ministries and agencies that have lead role responsibilities and/or are required to coordinate all formal and collective information disseminated to the public and the media.
- Coordinate public alerting in conjunction with MOE's Emergency Information Officer and other involved agencies; note Annex C.

Director, Environmental Monitoring & Reporting Branch

- Direct the input of resources and expertise available through that Branch.
- Serves as the link to other resources of the Environmental Sciences and Standards Division when resources from other parts of the Division are required, e.g., Laboratory Services or the Standards Development Branch.

Ministry Emergency Management Coordinator

- Advise the MAG on response procedures and policy matters for all emergencies where the Ministry is required to support a Provincial response, and for all other events for which this Plan is activated.
- Ensure that requirements of MOE under external commitments mentioned in Section 2.4.4 and those identified in the Annexes are accommodated.
- Serve as primary liaison officer for communications regarding tactical matters between MOE and other ministries or agencies involved in the event.
- Arrange for appropriate MOE representation at the PEOC, when activated, as part of the requirement to facilitate an appropriate Ministry input to a wider Government response.

- Coordinate information required by the PEOC.
- Advise the MAG on matters related to the continuity of MOE's critical service operations where these matters arise or are a component of a response.
- Provide advice to the Operations Section(s) (see Section 3.4) on matters related to the continuity of MOE's operations as needed.
- Prepare a debriefing session and a report after the conclusion of response actions under this Plan.

3.2.3 Specific Roles for Advisors and Others

The MAG may at any time seek the advice and assistance of officials or employees of any ministry and of any other level of government, and representatives of industry and organizations involved in emergency management (Section 3(10), Ontario Regulation 380/04). Advisors to the MAG are expected to represent their respective areas of responsibilities, program areas, branch or agency, as applicable, and serve as conduits to specific expertise and knowledge where available.

Regional Director(s)

- Serve as Operations Lead for the MOE Operations Section (see Section 3.4).
- Facilitate and coordinate MOE's Regional or District resources and expertise for the Ministry's operational participation in a response to the type of emergency where MOE's decentralized resources are an integral component of the response.
- The part of Ontario involved in the event for which the MOE Plan is activated determines which MOE Regional Director(s) becomes involved.
 - For events that affect or involve more than one MOE Region, the MAG Executive Lead may request that (any) one MOE Regional Director serve as Operations Section Lead and coordinate interests between affected Regions.

Legal Services Branch Representative

- Provides legal advice to the MAG for all or part of the duration of the emergency or other event for which this Plan is activated.

Duty Officer

- Record MAG transactions into the master event log. The master event log tracks all requests received, and all decisions and instructions made. The individual logs of MAG members become part of the master event log.

3.3 MAG ACTIVATION PROCESS

The MAG Executive Lead (Deputy Minister or a designated Assistant Deputy Minister) may activate the MAG.

The request to activate the MAG for an extraordinary event within the framework of an emergency, as defined in the EMCP Act, would normally come from Emergency

Management Ontario to MOE via the MOE Emergency Management Program Coordinator or through SAC.

The request to activate the MAG as a means to deal with a single-issue emergency that requires extraordinary MOE intervention for the type of events addressed in Annex “D” and “E” of this Plan may come from:

- Operations Division - Regional Director for the MOE Region(s) impacted for a spill or spill-related emergency;
- Director of the Drinking Water Management Division for a drinking water emergency; or
- Any other MAG member.

MOE’s Emergency Management Program Coordinator is normally involved in the activation of the MAG and is able to guide the decision-making processes. Under the instruction from the MAG Executive Lead, SAC staff may be asked to notify MAG members, as required, on a 24/7 basis.

The nature and the development of the event may dictate whether the MAG is placed on stand-by or if the MAG should be activated fully.

The MAG Executive Lead may:

- Limit the degree of activation of the MAG and the degree of activation of the Plan (see Section 2.6);
- At any time, limit the timeframe the MAG remains active and choose when the MAG is to stand down (Section 2.7); and,
- Choose the degree of MOE’s participation (or the continued participation, as applicable) and delegate that response to an MOE Operations Section or to a specific Ministry Division, MOE’s Regional or District offices. This is particularly applicable to the timeframe after an emergency winds down but the need for MOE’s assistance remains, and to events below the threshold of emergencies as defined by the EMCP Act.

Once the MAG is activated, all senior-level MOE management should also be briefed on event related information.

The normal point of assembly for the MAG is the MOE EOC (note Section 3.1). It is recognized that MAG members may also participate on MAG meetings or meet via teleconferencing capabilities.

3.4 THE MAG’S OPERATIONS SECTION

In addition to the command function performed by the MAG, Ontario’s Incident Management System calls for an Operations Section to be established to support the MAG. The primary purpose of the Operations Section is to implement the Ministry Incident Action Plan (see Section 3.8). Schematic 2 of this Plan (Section

3.10, Conceptual Response Structure Overview) illustrates the relationship of all four sections under the MAG, and the relationship of MOE's MAG and this Plan with the PEOC.

In the response to a general or a multiple issue emergency (i.e., an emergency that involves two or more of the following issues: spill, drinking water, and continuity of operations), the Operations Section will normally be staffed as illustrated in the table below.

Operations Section (for General / Multiple Issue Emergencies)

Operations Lead – Regional Director (MOE Region impacted)*
Alternate Lead – Assistant Director**
Members
Technical Support Manager
District Manager, and/or Area Supervisor***
Administrative Manager
Assistant Director, Safe Drinking Water Branch, and/or Drinking Water Compliance Manager***
Laboratory Services Branch, or Environmental Monitoring & Reporting Branch Manager
Regional Information Officer****
Duty Officer

* If multiple MOE Regions are impacted as a result of the emergency, the MAG Executive Lead may activate more than one Operations Section and may designate one Regional Director to serve as lead Regional Director.

** The Operations Lead may also call upon additional support staff from the Assistant Director's Office (i.e. Program Services Unit Supervisor and/or Divisional Program Specialist)

*** Functional responsibilities also include health & safety, security, as well as continuity of operations issues that may develop as a result of the emergency.

**** Supports the MAG and the Emergency Information Officer (the latter applies particularly when the Emergency Information Officer is assigned to the PEOC) for both spill and drinking water emergency communications needs, including internal and external communications.

The Lead of the Operations Section reports to the MAG and the MAG may adjust the Section's composition, as required, giving consideration to the nature and location of the emergency. The responsibilities of the Operations Section members may vary for different types of emergencies and may be scenario-specific, and are identified in more detail in relevant Annexes to this Plan.

The responsibilities of the Operations Lead are to:

- Develop and manage the Operations Section to accomplish the incident objectives set by the MAG through the Ministry Incident Action Plan;
- Organize, assign, and supervise all MOE resources assigned to an incident.

The Operations Lead for a single issue emergency (i.e. emergencies that have spill-related or drinking water priorities only), are as follows:

- **Spill or Spill-related Emergency** – Regional Director (of the affected MOE Region)
- **Drinking Water Emergency** – Assistant Director / Compliance Manager (Safe Drinking Water Branch)

Circumstances may also dictate the need for creating more than one Operations Section, or for Co-Leads, for events that impact more than one MOE Region, or that have significant spill-related as well as drinking water components.

The detailed membership of the Operations Section for a single-issue emergency is presented in the scenario-specific Annexes to this Plan, e.g., Annex D for spill emergencies, Annex E for drinking water emergencies, and Annex F for MOE's participation in an outbreak of a foreign animal disease, and in the Ministry's Continuity of Operations Plan for continuity of operations emergencies.

The Operations Section may also seek advice or support from the Ministry Emergency Management Coordinator; Regional Counsel; and a Health and Safety Officer.

The Ministry may also make use of the Operations Section concept to direct MOE's response to an event that falls below the level of a declared emergency but still requires a significant and coordinated response by the Ministry. When an Operations Section is established on its own (without a MAG) it shall be referred to as the **Ministry Operations Section**. This Section may make use of the emergency response concepts and structure offered in this Emergency Response Plan and its Annexes even though the Plan has not been activated.

3.5 PLANNING SECTION

The MAG may establish a Planning Section to create and update, as required, the Ministry Incident Action Plan for MOE's response component of an emergency (see Section 3.8, below).

The activities of the Planning Section may include:

- Collecting, collating, evaluating, analyzing, and disseminating incident information
- Managing the planning process including preparing and documenting the Ministry Incident Action Plan for each operational period
- Conducting long-range planning
- Developing plans for deactivation in preparation for when the incident winds down

- Maintaining incident documentation and tracking resources assigned to the incident
- Managing the activities of the MOE technical specialists
- Working closely with the MAG members to ensure that information is shared effectively and results in an efficient planning process to meet the needs of MOE's response to the incident.

3.6 LOGISTICS SECTION

The MAG may establish a Logistics Section to organize the provision of supporting resources for MOE's response to the incident. Resources include such things as facilities, transportation, supplies, fuel, equipment, food services, communications, as well as support personnel. The Logistics and Finance sections must work closely to purchase goods and services needed for MOE's response to the incident. Logistics also supports the Planning Section in providing updates on resources allocated or required for inclusion into the Ministry Incident Action Plan.

The activities of the Logistics Section include:

- Obtaining, maintaining, and accounting for essential personnel, equipment, and supplies beyond those immediately accessible to Operations
- Providing incident telecommunications/ IT services and resources
- Setting up food services
- Setting up and maintaining incident facilities
- Providing support for transportation needs
- Making arrangements for support personnel.

3.7 FINANCE & ADMINISTRATION SECTION

The MAG may establish a Finance & Administration Section to provide the financial and cost analysis support for MOE's response to an incident. Smaller incidents may only require minimal finance and administration support. In such incidents, a specialist within the Planning Section may perform the functions typically associated with this section, avoiding the need to establish a separate section. For example, the Finance and Administration Section may be essential for a response to emergencies where MOE elects to employ one or more external contractors to support clean-up efforts for a spill, or to assist in the procurement of vendors for the provision of an alternate source of drinking water.

The activities of the Finance and Administration Section include:

- Tracking and reporting on financial costs associated with MOE's response to the incident
- Tracking overtime and expenses incurred for incident personnel and equipment
- Contract procurement and monitoring
- Cost analysis and cost estimates

- Procuring additional equipment or resources
- Working in conjunction with the Planning and Logistics Sections to provide finance and administration support.

3.8 MINISTRY INCIDENT ACTION PLAN (IAP)

A Ministry IAP is usually developed on a day to day basis and identifies actions and tasks to be performed for an operations cycle (normally 12 to 24 hours). The Ministry IAP is developed, and/or updated regularly, by the MAG, or approved by the MAG if the plan is developed by the Planning Section. It provides incident supervisory personnel with clear direction for actions to be implemented. For relatively simple incidents, the Ministry IAP may consist of oral instructions, while for more complex incidents it will likely be in written format. The essential elements in this IAP are:

- A brief description of the event
- The Ministry's role and objectives
- Strategies and tactics to be employed to achieve objectives
- Assigned resources and tasks
- Health and safety considerations.

3.9 PUBLIC INFORMATION

The manner of transmitting news releases and all other forms of official communications with the public, the community and the media is governed by the nature of the emergency. For instance, it is a requirement of the Provincial Emergency Response Plan (note Annex G), and the Province of Ontario Nuclear Emergency Response Plan (note Annex H) that ministries participating in a response under these plans channel all external communications through one communications focal point established under those emergency plans. A similar single communications focal point with the media and the community also exists for events to which MOE may be asked to provide response participation under all other emergency or contingency plans identified in this MOE Plan and its Annexes. Conversely, the transmittal of news releases and all other forms of communication with the public, the community and the media will be coordinated by MOE for emergencies or events for which MOE has lead role responsibilities.

The details of MOE's procedures for the dissemination of information to the public as well as procedures for alerting the public (Section 2.9) are provided in Annex C.

The Ministry will work in close cooperation with EMO with respect to all matters related to the release of information to the public during a response to any emergency for which the PEOC is activated, and similarly with any other agency or authority with lead role responsibilities for a response to emergencies in which MOE provides a support role.

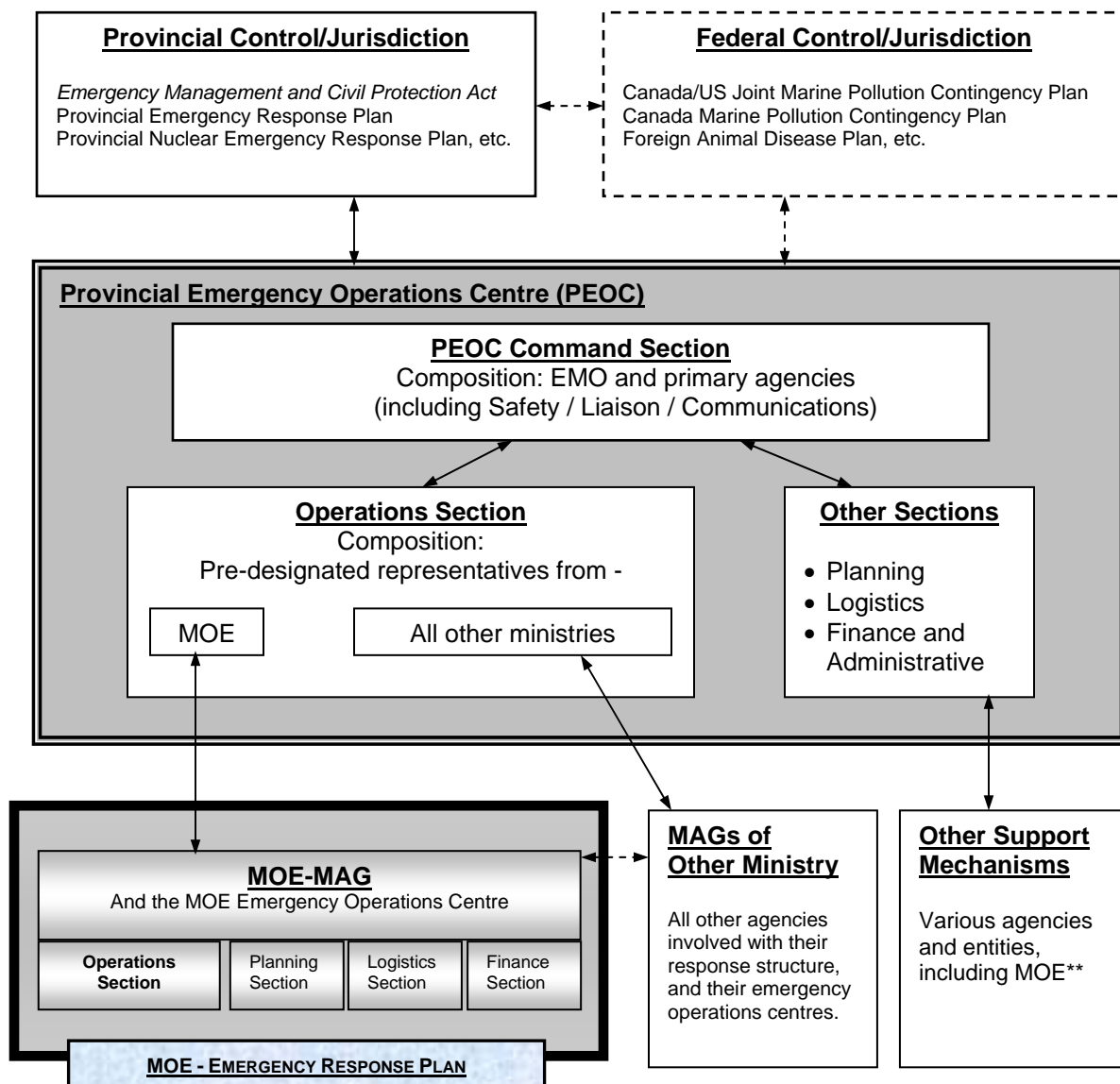
3.10 CONCEPTUAL RESPONSE STRUCTURE – OVERVIEW

Schematic 2 represents an overview of the wider emergency response structure under which MOE may be required to participate. The Schematic represents an essentially generic response structure to an emergency under either provincial or federal jurisdiction for which MOE may provide response participation, together with other Ontario ministries.

Notwithstanding the illustration of Schematic 2, elements of the MOE Emergency Response Plan may be used in response to other urgent events for which a coordinated Government response or the PEOC is not activated, but one to which MOE has to respond at a level above the Ministry's normal regulatory role. This may include serious spill-related and drinking water events but of a magnitude below that of an emergency, as the term is defined by the EMCP Act. This may also include events, such as ship-source spills, where another agency or entity has statutory and/or lead role responsibilities, and where MOE becomes a response participant. These circumstances are included in the list of potential events addressed by a number of other emergency plans highlighted in Sub-section 2.4.4 of this Plan, and by external commitments and undertakings listed in the Annexes.

SCHEMATIC 2**CONCEPTUAL EMERGENCY RESPONSE STRUCTURE**

- Simplified overview* for emergencies with MOE's involvement -



MAG: Ministry Action Group

↔ Normal lines of communications and flow of information

⋯ Likely lines of communications and information exchange

* - Overview of a multi-agency response based on the response structure of the Provincial Emergency Response Plan where the PEOC is activated.

** - Details for MOE's participation are outlined in applicable Annexes.

3.11 SCENARIO-SPECIFIC ANNEXES

As noted in this Plan, the composition of the MAG may be adjusted as warranted by the circumstances of the event. The MAG may also be supported by expertise and resources beyond that outlined in the main body of the Plan. Annexes to this Emergency Response Plan, summarized below, address scenario-specific emergencies and identify specific decision-makers, expertise and resources. Some of the Annexes also provide operation-oriented information for certain types of emergencies for which this Plan or any component of the Plan, the MAG, or the MOE EOC is activated.

Annexes that support this Emergency Response Plan consist of the following:

- **Annex A** administrative elements related to the Plan, including the topics of plan review and amendments, exercise and training, and intended distribution;
- **Annex B** summarises MOE's Continuity of Operations Plan and time critical services that may be required to support emergency response;
- **Annex C** MOE's Emergency Information Plan intended to support this MOE Emergency Response Plan and the MOE Continuity of Operations Plan;
- **Annex D** consists of response aspects specific to MOE's involvement in a spill emergency and spill-related events or accidental discharges, and includes a summary of associated statutory tools;
- **Annex E** consists of response aspects specific to MOE's involvement in a drinking water emergency and related issues, and a summary of related regulatory tools;
- **Annex F** consists of response aspects specific to MOE's involvement in a response to an outbreak of a foreign animal disease (FAD), and includes related technical information and environmental considerations unique to FAD emergencies;
- **Annex G** addresses MOE's participation in a multi-agency response under the Provincial Emergency Response Plan;
- **Annex H** addresses MOE's participation under the Provincial Nuclear Emergency Response Plan, the General Province-Wide Monitoring Plan and the Provincial Liquid Emission Response Procedures ;
- **Annex I** focuses on the requirements placed on MOE by the Provincial Coordination Plan for Influenza Pandemic; these include "infection prevention and control guidelines" for all emergency centres.

Note: These Annexes are intended to complement the main body of Plan, and the general response concepts developed in the main body of the Plan also apply to the scenario-specific annexes.

4 - MOE RESOURCES

This Chapter summarizes MOE program areas from which resources and expertise may be drawn upon for a response to spill and drinking water emergencies. Related details, in the form of procedures and contact lists, are normally maintained by MOE's Spills Action Centre (SAC) and are updated frequently. For the purpose of this Plan, the decision with respect to coordinating how and when any of these resources are made available is the responsibility of MOE's Ministry Action Group (MAG) or, as applicable, the MOE Operations Section. Their role and the composition of these groups are described in Chapter 3 of this Plan.

4.1 SPILL RESPONSE PROGRAM

MOE has operated a comprehensive spill response program for several decades. The primary elements of this program consist of, 1) a centralized MOE focal point for receiving, evaluating and processing reported spills and other reported environmental discharges, and 2) escalating levels of ministry response.

4.1.1 Spills Action Centre

The central MOE reporting focal point is the SAC, staffed by environmental officers on a 24/7 basis. SAC receives reports of approximately 30,000 events per year, of which some 3,000 to 4,000 are "spills" within the framework of Part X of the *Environmental Protection Act*. The remainder of the events reported to SAC fall into the categories of: a) reportable adverse results of drinking water tests and other observations, b) events reportable under various MOE approval mechanisms, c) reports received on behalf of client agencies, and d) a variety of environmental concerns reported by the general public.

SAC's primary function can be summarized as follows:

- Assessing from the information reported, or obtained from third parties, if the reported event is adequately taken care of by the discharger;
- Determining the magnitude or complexity of the event and evaluating how quickly the Ministry needs to respond;
- Determining what additional public sector entities should be advised; and as applicable
- Facilitating or brokering a response for events within MOE's mandate where the response is inadequate or the responsible party defaults, or when first responders request a Ministry response.

SAC staff carries out their functions guided by various standard operating procedures, as well as non-standard procedures that apply to unique situations or geographic areas, all of which are supported by a number of 24/7 contact lists. SAC also has access to contacts of other agencies and to various reference materials.

In addition to the primary function of the SAC to receive and process mandatory notifications for spills and several other types of reportable events, SAC is responsible to satisfy additional Ministry commitments related to spills. These commitments are embedded in SAC's Procedure Cards, and include:

- Inter-agency notification undertakings with other provincial and federal agencies for the exchange of information on spills and other serious pollution events; and
- Other related commitments through inter-agency agreements, undertakings or through formal contingency plans.

Furthermore, SAC serves as a primary communications link between MOE and the Provincial Emergency Operations Centre (PEOC) responsible for notifying MOE staff that may have to participate in various tasks under the Provincial Emergency Response Plan, the Province of Ontario Nuclear Emergency Response Plan, or under any other emergency plan that triggers the need for MOE to participate in a response. SAC may also be called upon to facilitate subsequent communication needs between MOE and the PEOC, and between MOE and other agencies with lead role responsibilities.

4.1.2 Field Activity and Response

MOE's field response is carried out sequentially as follows:

MOE District-level response

Environmental officers working in district or area offices provide the Ministry's initial level of field response. The primary role of the response by environmental officers is to make sure that the owner or persons who had control of the material immediately prior to a spill, contain, remove and dispose the contaminants, as is required by legislation. At this response level, MOE staff conducts an initial field assessment as may be required, and determines what extra resources are needed and what additional actions may need to be taken. MOE's environmental officers can also request the next level of Ministry response when necessary. Outside of regular working hours, MOE district offices have an on-call environmental response person who may be sent to the scene at the discretion of the SAC.

MOE Regional-level response

MOE regional response is provided through expertise and resources available at the Ministry's five regional offices.

MOE regional-level response is intended to assist a district-level response when additional personnel may be required to address escalating resource requirements for managing more complex environmental issues.

MOE regional-level response is used where additional expertise is required by an MOE district office, and that may be available within MOE's regional structure, to

assess the current or potential environmental and human health impact, to provide guidance on clean-up and or disposal options, to handle public and internal communications, to provide modeling and monitoring information and interpretation, to provide support, guidance and approval to initiate “directions”, “approvals” or “orders” - - all specific legal instruments under the Environmental Protection Act, and to provide logistic/safety support. MOE’s regional offices have experts trained in groundwater and surface water management, air management, waste disposal management, pesticide management, communications, procurement and incident command. This expertise can enhance MOE’s district-level response or provide leadership and direction, as may be required.

Additional Ministry response

Additional MOE expertise may be called upon from other divisions of the Ministry to supplement the resources available within MOE’s regional and district-level response. The primary division of the Ministry that provides additional support is the Environmental Sciences and Standards Division. Three branches within this division provide the bulk of this additional support, which are: the Standards Development Branch, the Laboratory Services Branch and the Environmental Monitoring and Reporting Branch.

The **Standards Development Branch** provides information on chemical and physical properties of contaminants and pesticides, and can provide expertise on toxicology and air and water standards, along with the impact of pollutants on humans, fish, animals, water and soil.

The **Laboratory Services Branch** provides analysis of samples and analytical laboratory services to the Ministry. This Branch becomes the recipient of water, soil and some air samples for analytical determinations, which may be important for making decisions regarding response actions and cleanup procedures.

The **Environmental Monitoring and Reporting Branch (EMRB)** provides a variety of scientific expertise and resources. These include:

- Specialized air monitoring, through a state of the art equipment housed in a mobile vehicle known as “TAGA” (Trace Atmospheric Gas Analyzer);
- Inland rivers and lakes surface water quality monitoring;
- Great Lakes surface water quality monitoring utilizing a high-tech vessel;
- Vegetation and soil monitoring by phyto-toxicologists;
- Aquatic species monitoring, also known as bio-monitoring; and
- Environmental modeling (air and water)

TAGA and/or the environmental modeling services of EMRB can be implemented in support of a combined district and regional-level MOE filed response. The TAGA is the state of the art air-monitoring device housed on a 10-meter long vehicle and equipped to measure about a thousand compounds in real time. In addition, the

TAGA vehicle contains on-board meteorological monitoring capabilities for instantaneous measurements of local wind speed, direction and air temperature.

The TAGA can be used to obtain measurements of airborne pollutants, information that may assist first-line emergency responders and others where it is necessary to determine if the downwind concentrations of airborne chemicals are safe. The TAGA can respond in a reasonable timeframe, depending on where in Ontario it is situated in relation to the emergency.

EMRB air and water environment modeling may also be of assistance for an emergency that requires the state-of-the-art scientific and mathematical models for the assessment of the relation between pollutants released and potential environmental impacts. Modeling that EMRB might be able to provide include an assessment of the downwind impact for some fires that involve a chemical release to the atmosphere, and an assessment of the downstream impact for some spills to watercourses and where run-off water has the potential to impact downstream users.

4.2 DRINKING WATER PROGRAM

MOE's **Drinking Water Management Division (DWMD)** is responsible for meeting the Ministry's objectives for safe drinking water throughout the Province of Ontario. The Safe Drinking Water Act (SDWA), Clean Water Act, Ontario Water Resources Act and related regulations provide the legislative foundation for the division's objectives. SDWA and regulations provide the Ministry with significant powers for drinking water emergencies.

MOE's Drinking Water Management Division has lead responsibility for program and operational activities related to the protection and provision of safe drinking water. The division has staff located in MOE's Regional and District offices, and the division's head offices consist of the:

- Office of the ADM/Chief Drinking Water Inspector;
- Safe Drinking Water Branch;
- Drinking Water Programs Branch; and
- Source Protection Programs Branch.

4.2.1 Field Activity and Response

MOE's field response is carried out as outlined under the following headings:

MOE Role in Non-Emergency Drinking Water Incidents

In most cases, hazards to safe drinking water arise from adverse water quality incidents. Adverse water quality incidents result from varied causes and are not unusual. Pursuant to s. 18 (1) of the Safe Drinking Water Act and Schedule 16, Section 16-6 (3) of *O. Reg. 170/03*, adverse water quality incidents are required to

be reported to the MOE. The MOE responds to these incidents on a routine basis. Generally, these incidents are resolved by the operating authority and do not escalate into emergency situations. In responding to such non-emergency drinking water incidents, staff of the Ministry will:

- Require the drinking water system owner/operating authority to comply with the requirements and standards set out in the Safe Drinking Water Act, and its regulations;
- Monitor the corrective actions taken by the drinking water system owner/operating authority to ensure that timely and appropriate measures are taken;
- Provide advice and make recommendations as required, pertaining to corrective actions;
- Sample and test drinking water in accordance with standard operating procedures, as appropriate; and,
- Make recommendations as warranted, with respect to procedures, training, education or equipment required to deal adequately with drinking water threats.

MOE Role in Drinking Water Emergencies

When an event escalates to an emergency as defined in this Plan, Ministry staff will:

- Require the drinking water system owner/operating authority to comply with the requirements and standards set out in the Safe Drinking Water Act, and its regulations so that potable water is provided in sufficient quantity to support human health and safety;
- Monitor the corrective actions taken by the drinking water system owner/operating authority to ensure that timely and appropriate measures are taken;
- Sample and test drinking water in accordance with standard operating procedures, as appropriate;
- Coordinate or participate in, as appropriate, the exchange of advice, information and expertise with the authority in charge of the emergency, the local Medical Officer of Health, the municipality, the operator of the drinking water system, and other ministries and agencies, to assess the hazard posed by the drinking water incident, and to mitigate its impact on the public and response personnel; and,
- Address the cause of an event at the conclusion of the emergency phase of the incident, as appropriate; and
- Document all findings, actions and recommendations

Additional Ministry response

The Drinking Water Management Division relies on a cooperative approach with other Ministry divisions and branches for a response to drinking water events including those that may lead to an emergency, as follows:

Operations Division has lead responsibility for Spills Action Centre, which receives adverse water quality incident notifications and engages appropriate staff on a 24/7 basis.

More specific details of SAC's participation and the Operations Division's district and regional response related to environmental emergencies and drinking water emergencies are outlined in Section 4.1 of this Plan.

In addition to those responsibilities identified under Section 4.1.2, the **Environmental Sciences and Standards Division (ESSD)** has lead responsibility for:

- Testing laboratory licensing and lab inspections;
- Drinking water standards;
- Drinking water sample testing;
- Groundwater monitoring and reporting; and
- Water well and surface water management.

4.2.2 Involvement of Local Health Units

For drinking water emergencies, MOE's response capability has to be combined with the requirements for MOE to work in close cooperation with the applicable local Medical Officers of Health. Local Medical Officers of Health have the authority to issue Drinking Water /Boil Water Advisories and Orders, as necessary. These emergency instruments address immediate quality issues without isolating the supply, and these instruments may be essential where it is necessary to bridge the time period between the detection period and the resolution of a drinking water emergency.

4.3 OTHER MINISTRY RESOURCES

The **Standards Development Branch** provides expertise in human toxicology, hydrogeology, geosciences, geophysics, and pesticides. With respect to environmental emergencies, including spills and drinking water related emergencies, the Branch may be able to provide toxicological and risk assessment expertise to ecosystem health, more specifically, toxicological advice and diagnostic services on environmental contaminants and pesticides.

The **Land and Water Policy Branch** manages policy and programs that are related to water resource management encompassing both quality and quantity issues.

The **Waste Management Policy Branch** is responsible for developing policies, programs, regulations and legislation to ensure sound and effective management of wastes. Waste management issues can arise during a range of emergencies including those involving spills, and human health or animal health emergencies.

The GIS Centre of the **Environmental Monitoring and Reporting Branch** is able to provide maps of a requested scale and area for emergency response. The maps can show locations of key facilities (nursing homes, hospitals, schools etc.) and sensitive environmental areas (e.g., wetlands) within various radii (or buffers) of an emergency. The maps can also provide information on routes to the emergency. Some of MOE's Regional Offices may also be able to provide similar support.

The Ministry's **Communications Branch** manages the communication needs for the Ministry and provides professional communications support during emergencies. The Minister has designated an Emergency Information Officer to act as the primary media and public contact for the Ministry in an emergency, and Annex C outlines details related to the topics of alerting the public and public information (note Sections 2.9).

During a multidimensional emergency that requires a response under this Plan and a response under the MOE's Continuity of Operations Plan, the Operations Division will work in conjunction with other Ministry divisions, as required, to ensure that the critical Ministry services and functions are maintained.

**FOR ADDITIONAL INFORMATION RELATED TO THE
MINISTRY OF ENVIRONMENT EMERGENCY RESPONSE PLAN**

PLEASE CONTACT THE MINISTRY'S:

**EMERGENCY MANAGEMENT PROGRAM OFFICE
416-325-1995**

EMERGENCY RESPONSE PLAN

ANNEXES

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